



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

MINUTES OF THE STANDING COMMITTEE ON INSURANCE

Thursday, May 25, 2017 9:00 a.m. Room 519 House Office Building, Lansing

Representative Theis, Chair, called the meeting to order.

MEMBERS PRESENT: Representatives Theis, VanderWall, Barrett, Glenn, Runestad, Vaupel, Webber, Bellino, Hoitenga, LaFave, Wentworth, Greimel, Phelps, Gay-Dagnogo, Wittenberg, Hammoud, Lasinski.

The Chair laid the following bills before the Committee.

- | | |
|----------------------|--|
| HB 4624 (Vaupel) | Insurance; no-fault; submission of claims to assigned claims plan; enact requirements. |
| HB 4625 (Whiteford) | Insurance; no-fault; processing of claims for benefits under the assigned claims plan; enact procedures. |
| HB 4626 (Kahle) | Insurance; no-fault; claims under the assigned claims plan; provide for periods of limitations. |
| HB 4627 (VanderWall) | Insurance; no-fault; insurance policy information; require submission to Michigan automobile insurance placement facility. |

Cards for the package of bills were submitted by:

Carol Hutchinson, representing Farmers Insurance, in support
George Carr, representing Property Casualty Insurers Association, in support as amended

Timothy Hoste, representing Unique Options, LLC, in opposition
Eric Musser, representing Auto Owners Insurance, in support
Holli LaJoice, representing MAIPF, neutral on the bill
Mark Wagenschultz, representing MAIPF, neutral on the bill

Tom Waun, representing the Michigan Association for Justice, submitted a card for HB 4624-4627 and spoke in opposition.

The following individuals spoke to the Committee regarding the bills:

Don Simon, representing Michigan Farm Bureau, no position stated
Courtney Flanagan, Michigan Farm Bureau, no position stated
Fausto Martin and Nicole Whitlow, representing AAA Michigan, in support
Terri Miller, representing MAIPF, neutral on the bill

Representative Greimel made a motion to adopt HB 4624 (H-1).

UNFAVORABLE ROLL CALL:

Yeas: Representatives Webber, Greimel, Phelps, Gay-Dagnogo, Wittenberg, Hammoud, Lasinski. (7/17)

Nays: Representatives Theis, VanderWall, Barrett, Glenn, Runestad, Vaupel, Bellino, Hoitenga, LaFave, Wentworth. (10/17)

Pass: None. (0/17) (7/10/0)

An insufficient number of members voting in the affirmative, the motion did not prevail.

Representative VanderWall offered the following amendment to HB 4624.

1. Amend page 2, line 16, by striking out "SATISFACTORY" and inserting "REASONABLE".

2. Amend page 2, line 21, after "A" by striking out "SATISFACTORY" and inserting "REASONABLE".

Representative VanderWall made a motion to amend HB 4624.

FAVORABLE ROLL CALL:

Yeas: Representatives Theis, VanderWall, Barrett, Glenn, Runestad, Vaupel, Webber, Bellino, Hoitenga, LaFave, Wentworth, Greimel, Phelps, Gay-Dagnogo, Wittenberg, Hammoud, Lasinski. (17/17)

Nays: None. (0/17)

Pass: None. (0/17) (17/0/0)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative LaFave made a motion to report HB 4624, as amended, as substitute (H-2) with recommendation.

FAVORABLE ROLL CALL:

Yeas: Representatives Theis, VanderWall, Barrett, Glenn, Vaupel, Bellino, Hoitenga, LaFave, Wentworth. (9/17)

Nays: Representatives Greimel, Phelps, Gay-Dagnogo, Wittenberg, Hammoud, Lasinski. (6/17)

Pass: Representatives Runestad, Webber. (2/17) (9/6/2)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Greimel made a motion to adopt HB 4625 (H-1).

UNFAVORABLE ROLL CALL:

Yeas: Representatives Greimel, Phelps, Gay-Dagnogo, Wittenberg, Hammoud, Lasinski. (6/17)

Nays: Representatives Theis, VanderWall, Barrett, Glenn, Runestad, Vaupel, Webber,

Bellino, Hoitenga, LaFave, Wentworth. (11/17)

Pass: None. (0/17) (6/11/0)

An insufficient number of members voting in the affirmative, the motion did not prevail.

Representative VanderWall offered the following amendment to HB 4625.

1. Amend page 2, line 21, after "**PROVIDED**" by striking out "**SATISFACTORY**" and inserting "**REASONABLE**".

Representative VanderWall made a motion to amend HB 4625.

FAVORABLE ROLL CALL:

Yeas: Representatives Theis, VanderWall, Barrett, Glenn, Runestad, Vaupel, Webber, Bellino, Hoitenga, LaFave, Wentworth, Greimel, Phelps, Gay-Dagnogo, Wittenberg, Hammoud, Lasinski. (17/17)

Nays: None. (0/17)

Pass: None. (0/17) (17/0/0)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Runestad offered the following amendment to HB 4625.

1. Amend page 2, line 2, after "(2)," by striking out the balance of the sentence and inserting "**THE MICHIGAN AUTOMOBILE INSURANCE PLACEMENT FACILITY SHALL SUSPEND BENEFITS TO THE CLAIMANT UNDER THE ASSIGNED CLAIMS PLAN. A SUSPENSION UNDER THIS SUBSECTION IS NOT AN IRREVOCABLE DENIAL OF BENEFITS, AND MUST CONTINUE ONLY UNTIL THE MICHIGAN AUTOMOBILE INSURANCE PLACEMENT FACILITY DETERMINES THAT THE CLAIMANT OR PERSON MAKING A CLAIM THROUGH OR ON BEHALF OF A CLAIMANT COOPERATES OR RESUMES COOPERATION WITH THE MICHIGAN AUTOMOBILE INSURANCE PLACEMENT FACILITY.**".

Representative Runestad made a motion to amend HB 4625.

FAVORABLE ROLL CALL:

Yeas: Representatives Theis, VanderWall, Barrett, Glenn, Runestad, Vaupel, Webber, Bellino, Hoitenga, LaFave, Wentworth, Greimel, Phelps, Gay-Dagnogo, Wittenberg, Hammoud, Lasinski. (17/17)

Nays: None. (0/17)

Pass: None. (0/17) (17/0/0)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Vaupel made a motion to report HB 4625, as amended, as substitute (H-2) with recommendation.

FAVORABLE ROLL CALL:

Yeas: Representatives Theis, VanderWall, Barrett, Glenn, Runestad, Vaupel, Bellino, Hoitenga, LaFave, Wentworth. (10/17)

Nays: Representatives Greimel, Gay-Dagnogo, Wittenberg, Hammoud, Lasinski. (5/17)

Pass: Representatives Webber, Phelps. (2/17) (10/5/2)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative VanderWall made a motion to report HB 4626 with recommendation.

FAVORABLE ROLL CALL:

Yeas: Representatives Theis, VanderWall, Barrett, Glenn, Runestad, Vaupel, Webber, Bellino, Hoitenga, LaFave, Wentworth, Greimel, Phelps, Gay-Dagnogo, Wittenberg, Hammoud, Lasinski. (17/17)

Nays: None. (0/17)

Pass: None. (0/17) (17/0/0)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Lasinski offered the following amendment to HB 4627.

1. Amend page 2, line 22, after "ACT." by inserting "INFORMATION RECEIVED BY THE MICHIGAN AUTOMOBILE INSURANCE PLACEMENT FACILITY UNDER THIS SUBSECTION IS CONFIDENTIAL AND IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246. THE MICHIGAN AUTOMOBILE INSURANCE PLACEMENT FACILITY SHALL ONLY USE THE INFORMATION FOR PURPOSES OF ADMINISTERING THE ASSIGNED CLAIMS PLAN UNDER THIS CHAPTER AND SHALL NOT DISCLOSE THE INFORMATION TO ANY PERSON UNLESS IT IS FOR THE PURPOSE OF ADMINISTERING THE ASSIGNED CLAIMS PLAN OR IN COMPLIANCE WITH AN ORDER BY A COURT OF COMPETENT JURISDICTION IN CONNECTION WITH A FRAUD INVESTIGATION OR PROSECUTION.".

Representative Lasinski made a motion to amend HB 4627.

FAVORABLE ROLL CALL:

Yeas: Representatives Theis, VanderWall, Barrett, Glenn, Runestad, Vaupel, Webber, Bellino, Hoitenga, LaFave, Wentworth, Greimel, Phelps, Gay-Dagnogo, Wittenberg, Hammoud, Lasinski. (17/17)

Nays: None. (0/17)

Pass: None. (0/17) (17/0/0)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Greimel made a motion to report HB 4627, as amended, as substitute (H-1) with recommendation.

FAVORABLE ROLL CALL:

Yeas: Representatives Theis, VanderWall, Barrett, Glenn, Runestad, Vaupel, Webber, Bellino, Hoitenga, LaFave, Wentworth, Greimel, Phelps, Gay-Dagnogo, Wittenberg, Hammoud, Lasinski. (17/17)

Nays: None. (0/17)

Pass: None. (0/17) (17/0/0)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative LaFave made a motion to adopt the minutes of the meeting held on May 18, 2017. No objections being offered, the minutes were accepted as presented.

There being no additional business before the Committee, Chair Theis declared the meeting adjourned, the time being 10:30 a.m.

Representative Lana Theis, Chair

Catherine Petroskey, Committee Clerk (517) 373-8538